

### **REMARKS**

In response to the Final Office Action mailed March 23, 2007, Applicants respectfully request reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 17-50, 59-74 and 83-118 were previously pending in this application. Claims 17, 34, 59, 83, 100, 107, 109 and 114 are amended herein. No claims are added or cancelled. As a result, claims 17-50, 59-74, and 83-118 remain pending for examination, with claims 17, 34, 59, 83, 100, 107, 109 and 114 being independent. No new matter has been added.

#### **Telephone Interview With Examiner**

Applicants' representatives thank Examiner Poinvil for the courtesies extended in granting and conducting a telephone interview on January 17, 2007, shortly after the previous response of December 19, 2006 was filed. The substance of the interview is summarized herein.

During the interview, Applicants' representatives provided an overview of one embodiment of the invention, which provides a system for delivering information related to financial transactions to investors via the Internet. By way of background, Applicants' representatives explained that, conventionally, information relating to financial transactions was provided to investors in hard copy form (see, e.g., Applicant's specification at p. 1, line 13-p. 2, line 8). The Securities and Exchange Commission (SEC) has now developed a set of compliance regulations for electronic delivery of financial information to investors, and these regulations require that the investor consent to having the information delivered electronically or maintained where the investor can access it (p. 3, lines 12-16).

Accordingly, one embodiment of the invention provides a system which allows investors to consent to receive all or a portion of information relating to financial transactions electronically (p. 3, lines 16-17). As an example, a user may consent to electronic delivery of either all types of financial information documents for all accounts, or may decide to receive only certain types of

documents for specific accounts electronically while receiving paper-based notification for other accounts and/or types of documents (p. 6, lines 1-4).

The rejection of claims 17-50, 59-74 and 83-118 under 35 U.S.C. §103(a) as purportedly being obvious in view of U.S. Patent No. 6,128,602 to Northington et al. ("Northington") in view of U.S. Patent No. 5,739,512 to Tognazzini ("Tognazzini") was then discussed. In particular, Applicants' representatives proposed to amend each independent claim to more clearly distinguish the asserted combination. The proposed amendment would require that the financial transaction recited by each claim relate to an investment in a security or mutual fund.

The Examiner agreed that such an amendment would distinguish over the prior art of record, and requested that a written response be filed for his consideration.

#### Rejections Under 35 U.S.C. §103

Claims 17-50, 59-74 and 83-118 are rejected under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini. Without acceding to the propriety of the asserted combination, Applicants respectfully submit that the claim, as amended herein, patentably distinguish over the any combination of the asserted references.

#### A. Claims 17-33

As amended herein, claim 17 recites a method of making financial transaction information available electronically. The method comprises: (a) receiving financial transaction data for a plurality of distinct financial transactions, each financial transaction relating to an investment in a security or mutual fund; (b) determining a unique identifier for each distinct financial transaction and a client associated with each distinct financial transaction; (c) determining, as a function of each unique identifier, whether the associated client has consented to receiving the respective financial transaction data electronically; and (d) if it is determined that the associated client has consented to receiving the respective financial transaction data electronically, making the respective financial transaction data available to the associated client electronically.

The prior art of record fails to satisfy all of the limitations recited by amended claim 17. For example, neither Northington nor Tognazzini discloses or suggests receiving financial transaction data for a plurality of distinct financial transactions, *wherein each financial transaction relates to an investment in a security or mutual fund.*

Northington simply says nothing at all relating to financial transactions relating to an investment in a security or mutual fund. Northington discloses a system wherein information from a plurality of financial systems (e.g., spending and purchasing systems) is consolidated (col. 2, lines 29-32). The system enables a user to monitor and manage financial activities with multiple independent entities (col. 2, lines 33-41). Users may access electronic financial data via a remote terminal, run reports, and monitor spending (col. 5, lines 40-56). However, Northington neither discloses nor suggests anything at all relating to a financial transaction which relates to an investment in a security or mutual fund.

Tognazzini fails to remedy this deficiency over Northington. Tognazzini discloses a system wherein electronic receipts are transmitted to a customer in place of paper receipts (col. 2, lines 17-20). For example, a customer making a credit card purchase may be emailed a receipt for the transaction (col. 2, lines 32-37). Tognazzini discloses that electronic data interchange (EDI) techniques may be employed to facilitate this data transfer (col. 6, lines 26-39). Tognazzini simply fails to disclose or suggest anything at all relating to a financial transaction which relates to an investment in a security or mutual fund.

As a result, claim 17 patentably distinguishes over the prior art of record, such that the rejection of claim 17 under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claims 18-33 depend from claim 17 and are allowable for at least the same reasons.

B. Claims 34-50

Claim 34 recites a system for making financial transaction information available electronically. The system comprises, *inter alia*, means for receiving financial transaction data for a

plurality of distinct financial transactions, wherein each financial transaction relates to an investment in a security or mutual fund.

It should be clear from the discussion above relating to claim 17 that the prior art of record fails to disclose or suggest means for receiving financial transaction data for a plurality of distinct financial transactions, wherein each financial transaction relates to an investment in a security or mutual fund. Accordingly, claim 34 patentably distinguishes over the asserted combination, such that the rejection of claim 34 under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claims 35-50 depend from claim 34 and are allowable for at least the same reasons.

C. Claims 59-74

Claim 59 recites a computer program product comprising, *inter alia*, computer program instructions which, when executed by a computer, direct the computer to perform a method comprising receiving financial transaction data for a plurality of distinct financial transactions, each financial transaction relating to an investment in a security or mutual fund.

It should be clear from the discussion above relating to claim 17 that the prior art of record fails to disclose or suggest computer program instructions which, when executed, perform a method which comprises receiving financial transaction data for a plurality of distinct financial transactions, wherein each financial transaction relates to an investment in a security or mutual fund.

Accordingly, claim 59 patentably distinguishes over the asserted combination, such that the rejection of claim 59 under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claims 60-74 depend from claim 59 and are allowable for at least the same reasons.

D. Claims 83-99

Claim 83 recites a system for making financial transaction information available via the Internet. The system comprises, *inter alia*, a financial transaction data processor to receive financial

transaction data for a plurality of distinct financial transactions, each financial transaction relating to an investment in a security or mutual fund.

It should be clear from the discussion above relating to claim 17 that the prior art of record fails to disclose or suggest a financial transaction data processor to receive financial transaction data for a plurality of distinct financial transactions, wherein each financial transaction relates to an investment in a security or mutual fund. Accordingly, claim 83 patentably distinguishes over the asserted combination, such that the rejection of claim 83 under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claims 84-99 depend from claim 83 and are allowable for at least the same reasons.

E. Claims 100-106

Claim 100 recites a method of providing financial transaction data for at least one financial transaction electronically to a user. The method comprises obtaining consent from the user to provide the financial transaction data electronically, and providing the financial transaction data electronically to the user, wherein each financial transaction relates to an investment in a security or mutual fund.

As discussed above in relation to claim 17, the prior art of record fails to disclose or suggest a financial transaction which relates to an investment in a security or mutual fund. As a result, claim 100 patentably distinguishes over the asserted combination, such that the rejection of claim 100 under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claims 101-106 depend from claim 100 and are allowable for at least the same reasons.

F. Claims 107-108

Claim 107 recites a method of obtaining and storing consent, from a user, to receive financial transaction data for at least one financial transaction electronically. Claim 107 requires that each financial transaction relate to an investment in a security or mutual fund.

As discussed above in relation to claim 17, the prior art of record fails to disclose or suggest a financial transaction which relates to an investment in a security or mutual fund. Accordingly, claim 107 patentably distinguishes over the prior art of record, such that the rejection of claim 107 under 35 U.S.C. §103(a) is purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claim 108 depends from claim 107 and is allowable for at least the same reasons.

G. Claims 109-113

Claim 109 recites a method of providing financial transaction data for at least one financial transaction electronically. Claim 109 requires that each financial transaction relates to an investment in a security or mutual fund. As discussed above in relation to claim 17, the prior art of record fails to disclose or suggest a financial transaction which relates to an investment in a security or mutual fund. Accordingly, claim 109 patentably distinguishes over the asserted combination, such that the rejection of claim 109 under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claims 110-113 depend from claim 109 and are allowable for at least the same reasons.

H. Claims 114-118

Claim 114 recites a method of sending financial transaction data electronically to a user. The method comprises, *inter alia*, under control of a first server system, receiving financial transaction data for at least one financial transaction, each financial transaction relating to an investment in a security or mutual fund.

As discussed above in relation to claim 17, the prior art of record fails to disclose or suggest receiving financial transaction data for at least one financial transaction, wherein each financial transaction relates to an investment in a security or mutual fund. Accordingly, claim 114 patentably distinguishes over the asserted combination, such that the rejection of claim 114 under 35 U.S.C. §103(a) as purportedly being obvious over Northington in view of Tognazzini should be withdrawn.

Claims 115-118 depend from claim 114 and are allowable for at least the same reasons.


**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the application in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: May 23, 2007

Respectfully submitted,

By 

Randy J. Pritzker

Registration No.: 35,986

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

(617) 646-8000